



Examination Appeals Policy

Policy name	Pan-Canadian Examinations Appeals Policy
Type	Exam administration and delivery policy
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Audience	Candidates, Appeals and Accommodations Committee, CARB-TCMPA members, CARB-TCMPA staff

1. Purpose

The Canadian Alliance of Regulatory Bodies of Traditional Chinese Medicine Practitioners and Acupuncturists (CARB-TCMPA) develops and administers credentialing exams for Traditional Chinese Medicine Practitioners and Acupuncturists (TCM/A) in Canada. The results of the examination are used by regulatory bodies to make several important decisions including whether candidates for admission (“Candidates”) are permitted to practise a profession or hold themselves out as members of the profession. Access to an appeal of such decisions is a vital element of due process, fairness, and accountability.

CARB-TCMPA supports a transparent appeal mechanism to enhance public confidence in the examination process. Individual appeals serve to strengthen accountability. They encourage due diligence, promote high-quality internal procedures, and reflect a concerted effort to avoid or remedy errors so that appeals become unnecessary.

This policy intends to establish a sound and rigorous process and practice for dealing with inquiries and appeals related to the administration of the examinations. CARB-TCMPA supports a fair and transparent appeals process through an internal Appeals and Accommodations Committee that is structured to ensure that conflicts of interest are avoided.

Candidates are strongly advised to review this policy and any other relevant materials, such as the *Pan-Canadian Examinations Candidate Handbook*, before requesting a nullification of their examination results. If the procedures and requirements are not followed, the request may not be considered by the Appeals and Accommodations Committee.

2. Scope

This policy is limited to the Pan-Canadian Examinations delivered by CARB-TCMPA and its test administrators. Appealing decisions regarding admission to the profession should be directed to the regulatory body that issued the decision.

Following the exam, CARB-TCMPA engages a psychometric analysis of the questions, removes items that do not meet psychometric standards, and rescores the exam without those items. In addition, any items that have been flagged during the exam administration are reviewed and if these items are deemed to be defective for any reason they are removed from the exam. The Appeals and Accommodations Committee will not consider complaints regarding the content of the examination or possible responses to examination questions. **The content of the examination is not subject to appeal.**

The Pan-Canadian Examinations are scored using rigorous methodology that includes matching of examination scores produced by two different statistical packages. Considering the rigour of the scoring process, **scoring errors are highly unlikely.** An appeal is not a re-grading or re-scoring exercise.

The Committee cannot assume that the candidate would have passed the examination if it were not for the circumstances of the appeal. Therefore, the Committee cannot grant a passing mark to the candidate, but it may nullify their result and/or attempt.

3. Examination material

Candidates will not be given access to any information that would undermine the integrity and security of the examination content or process.

4. Grounds for an appeal

Where a Candidate believes that a failing result achieved on an examination was due to one or more of the specified circumstances outlined below, and the Candidate files a *Request for Nullification* of their results, the Appeals and Accommodations Committee shall review the Candidate's specific circumstances to determine which of the available remedies may be provided, if any. The Committee will consider requests only if the Candidate claims that failing the examination is due to one or more of the following circumstances:

- Illness on the examination day
- Personal emergency
- Procedural irregularities

If the request is not based on one or more of the three circumstances, the request will not be considered.

4.1 Illness on the examination day

If a Candidate was ill on the examination day, they may submit a *Request for Nullification* form (attached to this policy) together with an original, signed medical report of a duly qualified physician or appropriate medical professional registered to practise in their province who examined the candidate within five (5) days after the examination date.

4.2 Personal emergency

If a Candidate experiences difficulty during an exam due to an unforeseen emergency or trauma, such as the death or serious, sudden illness, intergenerational trauma, or injury of a close family member or close personal friend, the Candidate may submit a *Request for Nullification*, along with appropriate supporting documents (e.g. death certificate, obituary notice, or other similar documents).

4.3 Procedural irregularity

If a Candidate perceives procedural irregularity in the administration of the exam, they may submit a *Request for Nullification*. A procedural irregularity includes major irregularities in the environment in which the examination was completed and/or while the examination was in progress. Such a request must include facts demonstrating that the procedural irregularity had a negative impact on the Candidate's performance on the examination.

It is incumbent upon the Candidate to establish, to the satisfaction of the Appeals and Accommodations Committee, that had the procedural irregularity not occurred, it is more likely than not that the Candidate would have passed the examination.

5. Reporting an issue/incident

CARB-TCMPA and its test administrators make an effort to identify, record, and report any irregularities that occur during the exam that may affect a Candidate's ability to demonstrate their competency. Exam proctors are instructed to record and report every issue/incident encountered on the examination day.

At the end of each exam sitting (i.e. multiple-choice and clinical case question components), Candidates have the opportunity to report any issue (e.g. technical, medical, or environmental) that they believe materially impaired their ability to demonstrate their competence on the exam. This, along with evidence submitted by the Candidate, is evidence considered by the Appeals and Accommodations Committee.

6. Process

Candidates must submit a *Request for Nullification* no later than 30 calendar days of the release of the examination results to demonstrate their grounds for an appeal. The Committee will only consider requests for a nullification after this period in the case of incapacitation or a similar circumstance preventing a Candidate from functioning in a normal way.

The *Request for Nullification* must contain all of the information, facts, and supporting documents upon which the Candidate intends to rely. Failure to provide the required documentation under the applicable circumstance(s) may cause the Candidate's request not to be considered.

CARB-TCMPA will acknowledge receipt of a candidate's *Request for Nullification* within 14 days of receiving the request. Requests that meet the grounds for an appeal will be forwarded to the Appeals and Accommodations Committee for its consideration.

The Appeals and Accommodations Committee will review the request along with all of the supporting documentation. Once the Committee has rendered a decision, the decision will be sent to the candidate via email only.

A decision by the Appeals and Accommodations Committee is **final**.

For illustrative purposes, a flowchart of the process is attached to this policy.

7. Possible outcomes

The Appeals and Accommodations Committee, in its sole discretion, will decide to either deny or grant the Candidate's request.

7.1 Deny the request

Should the Committee decide to deny the Candidate's request, the Committee will take no further action on the matter. Their decision to deny the request is final.

7.2 Grant the request

Should the Committee decide to grant the Candidate's request, the Committee has the authority to make the following decisions based on one or more of the specified grounds for an appeal:

- To nullify the attempt
- To allow the Candidate to pay any subsequent examination fee at an adjusted rate (to be determined by the Executive Director)
- To impose reasonable conditions necessary for the integrity of the exam